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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,995	03/19/2001	Matthew J. Adiletta	10559-320001/P9681	9585

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EXAMINER	
LI, AIMEE J	

ART UNIT	PAPER NUMBER
2183	

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/811,995	ADILETTA ET AL.	
	Examiner	Art Unit	
	Aimee J Li	2183	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 November 2004 and 13 December 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *17-29* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *17-29* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *13 December 2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. New claims 17-29 have been examined. Claims 1-7 have been cancelled as per Applicant's request. Claims 9-16 have been withdrawn.

Papers submitted

2. It is hereby acknowledged that the following papers have been received and placed on record in the file: Amendment and RCE as received on 28 October 2004; Amendment as received on 26 November 2004; and IDS as received on 13 December 2004.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 17-21 and 25-26 are rejected under 35 U.S.C. 102(b) as being taught by Hennessy and Patterson's Computer Organization and Design: The Hardware/Software Interface ©1998 (herein referred to as Hennessy).

5. Referring to claim 17, Hennessy has taught a hardware-based multithreaded processor comprising:

a. A plurality of microengines, each of the microengines supporting instructions that perform an arithmetic logic unit (ALU) operation, deposit a result in a destination register and update ALU condition codes according to the results (Hennessy page 512, Figure 6.58 and page 181, paragraph 7 to page 182); and

b. A local register instruction that loads one or more bytes within a local register with a shifted value of another operand (Hennessy pages 118 and 226).

6. Referring to claim 18, Hennessy has taught wherein the destination register is an absolute transfer register (Hennessy pages 118 and 226). In regards to Hennessy, the register destination operand specifies any register available to the user, this includes an absolute transfer register.

7. Referring to claim 19, Hennessy has taught wherein the destination register is a context-relative transfer register (Hennessy pages 118 and 226). In regards to Hennessy, the register destination operand specifies any register available to the user, this includes a contest-relative transfer register.

8. Referring to claim 20, Hennessy has taught wherein the destination register is a general purpose register (Hennessy pages 118 and 226).

9. Referring to claim 21, Hennessy has taught wherein the local register instruction comprises the destination register (Hennessy pages 118 and 226).

10. Referring to claim 25, Hennessy has taught wherein the local register instruction comprises a context relative source register (Hennessy pages 118 and 226). In regards to Hennessy, the register source specifies any register available to the user, this includes an context relative source register..

11. Referring to claim 26, Hennessy has taught an apparatus comprising in a hardware-based multithreaded processor comprising:

a. A plurality of microengines, each of the plurality of microengines including a command that causes an arithmetic logic unit (ALU) to load one or more bytes within a destination register of a selected microengine (Hennessy page 512,

Figure 6.58 and page 181, paragraph 7 to page 182) with a shifted value of another one or more bytes of a source register (Hennessy pages 118 and 226).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

13. Claims 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hennessy and Patterson's Computer Organization and Design: The Hardware/Software Interface ©1998 (herein referred to as Hennessy), as applied to claim 17 above, in view of *Intel IA-64 Application Developer's Architecture Guide* (herein referred to as Intel).

14. Regarding to claims 22-24, Hennessy has not taught

a. Wherein the local register instruction comprises a field representing a mask that specifies which byte or bytes are affected (Applicant's claim 22);

b. Wherein the mask is 4-bits (Applicant's claim 23);

c. Wherein the mask comprises a set bit indicating a corresponding byte in the local register to be loaded (Applicant's claim 24);

d. Wherein the command comprises a field representing a mask that specifies which byte or bytes are affected (Applicant's claim 27);

e. Wherein the mask is 4-bits (Applicant's claim 28); and

f. Wherein the mask comprises a set bit indicating a corresponding byte in the source register to be loaded (Applicant's claim 29).

15. Intel has taught

a. Wherein the local register instruction comprises a field representing a mask that specifies which byte or bytes are affected (Applicant's claim 22) (Intel Sec. 4.6.3 of p.4-31, p.7-116 – 7-118 and p.C-21);

b. Wherein the mask is 4-bits (Applicant's claim 23) (Intel Sec. 4.6.3 of p.4-31, p.7-116 – 7-118 and p.C-21);

c. Wherein the mask comprises a set bit indicating a corresponding byte in the local register to be loaded (Applicant's claim 24) (Intel Sec. 4.6.3 of p.4-31, p.7-116 – 7-118 and p.C-21);

d. Wherein the command comprises a field representing a mask that specifies which byte or bytes are affected (Applicant's claim 27) (Intel Sec. 4.6.3 of p.4-31, p.7-116 – 7-118 and p.C-21);

e. Wherein the mask is 4-bits (Applicant's claim 28) (Intel Sec. 4.6.3 of p.4-31, p.7-116 – 7-118 and p.C-21); and

f. Wherein the mask comprises a set bit indicating a corresponding byte in the source register to be loaded (Applicant's claim 29) (Intel Sec. 4.6.3 of p.4-31, p.7-116 – 7-118 and p.C-21).

16. Intel has taught a "mix1" instruction, which based on a bit mask selects certain bytes of data held in a first source to be loaded into a destination register, and the remaining bytes specified by the mask to be loaded from data held in a second source (Intel Sec. 4.6.3 of p.4-31, p.7-116 – 7-118 and p.C-21). Here, the bit mask is the opcode and the extension fields which modify the opcode in order to determine which sources, and which bytes within the sources, are

selected to be loaded. One of ordinary skill in the art would have recognized that having multimedia instructions expands the functionality of a processor in a desirable way as well as improve performance (Intel Sec. 2.3 of p.2-2 and Sec. 4.6 of p.4-29). Therefore, one of ordinary skill in the art would have found it obvious to modify the shift instruction of Hennessy to include the mask traits of Intel's mix1 instruction so that the functionality of the processor can be expanded in a useful and efficient manner and performance can be increased.

Response to Arguments

17. Applicant's arguments with respect to claims 17-29 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aimee J Li whose telephone number is (571) 272-4169. The examiner can normally be reached on M-T 7:30am-5:00pm.

19. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Chan can be reached on (571) 272-4162. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

20. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AJL
Aimee J. Li
22 February 2005

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